

Attachment B

Rules of the State Bar, rules 3.244, 3.245, 3.246, 3.247, 3.248, and 3.252, as currently adopted.

Rule 3.244 Eligibility

- (A) The LAP is open to active, inactive, and former members of the State Bar, and candidates for admission. For purposes of this Chapter, “candidates for admission” means applicants who are in law school or have applied for admission to the State Bar. To participate in the LAP, an applicant must
 - (1) voluntarily agree to participate;
 - (2) provide medical information and disclosure authorizations as required; and
 - (3) sign a participation agreement that includes a promise to comply with all LAP recommendations.
- (B) Participation in the LAP does not relieve a participant of any duty required by agreement or stipulation with the Office of the Chief Trial Counsel, by court order, or by any law relating to attorney conduct or discipline.

Rule 3.244 adopted effective January 9, 2010; amended effective January 1, 2018.

Rule 3.245 Orientation and Assessment

All attorneys, former members of the State Bar and candidates for admission are eligible to participate in the Orientation and Assessment (“O&A”). The O&A is also a prerequisite for participation in the Support LAP or the Monitored LAP. The O&A includes one or more of the following:

- (A) assessment by a LAP case manager;
- (B) referral to external resources and treatment providers;
- (C) up to four sessions in a LAP-facilitated support group;
- (D) up to two sessions of personal, career, or financial counseling; and
- (E) volunteer support.

Rule 3.245 adopted effective January 9, 2010.

Rule 3.246 Application

An eligible member, former member, or candidate for admission who wishes to continue

participating in the LAP must apply for either the Support LAP or the Monitored LAP. The Evaluation Committee reviews the applications and may deny an application if it determines that

- (A) the applicant does not meet eligibility criteria;
- (B) the applicant will not substantially benefit from the LAP; or
- (C) the applicant's participation would be inconsistent with public protection.

Rule 3.246 adopted effective January 9, 2010.

Rule 3.247 Support LAP

- (A) The Support LAP is open to members and former members of the State Bar, and candidates for admission who have completed the O&A and do not require the LAP to verify their participation or provide any other monitoring report.
- (B) For the first six months, the Support LAP includes
 - (1) a plan of structured rehabilitation activities;
 - (2) oversight and support by LAP staff;
 - (3) participation in a LAP-facilitated support group, if directed; and
 - (4) laboratory testing as directed.
- (C) After six months, the Support LAP includes
 - (1) a plan of structured rehabilitation activities;
 - (2) oversight and support from a LAP volunteer; and,
 - (3) participation in a LAP-facilitated group if desired.

Rule 3.247 adopted effective January 9, 2010.

Rule 3.248 Monitored LAP

- (A) The Monitored LAP is open to members and former members of the State Bar or candidates for admission who have completed the O&A and who require the LAP to verify their participation in the LAP for the Office of Chief Trial Counsel, the State Bar Court, the Committee of Bar Examiners, or any other entity.
- (B) The applicant for the Monitored LAP must have a diagnosed substance-related or mental health disorder to participate.

- (C) The Monitored LAP includes
- (1) a plan of structured rehabilitation activities;
 - (2) oversight and support by LAP staff;
 - (3) participation in a LAP-facilitated support group, if directed;
 - (4) laboratory testing as directed; and
 - (5) verification of participation and compliance by the LAP.

Rule 3.248 adopted effective January 9, 2010.

Rule 3.252 Financial Assistance

- (A) A LAP participant who is an active or inactive member of the State Bar may be eligible for financial assistance in the form of a loan from the State Bar. Former members of the State Bar and candidates for admission to the practice of law are not eligible for financial assistance.
- (B) The loan covers no more than one year of participation in the LAP per member. Loan proceeds are dispersed directly to approved service providers. Unless determined otherwise by the committee, covered services are limited to LAP group fees and laboratory testing fees.
- (C) To obtain a loan, the participant must submit a completed application provided by the LAP and provide all requested information. Eligibility is based upon a current income formula determined by the committee. Loans are made solely on the basis of financial need.
- (D) The loan recipient is liable for all sums distributed to service providers on his or her behalf. If a loan recipient ceases to be a LAP participant, the total amount loaned on behalf of the participant becomes immediately due and payable to the State Bar by the participant. Arrangements may be made to repay the loan, with interest, in installment payments.
- (E) A LAP participant who received financial assistance before the effective date of this rule is bound by the terms of any agreement applicable to that assistance.

Rule 3.252 adopted effective January 9, 2010.